

STATE OF ALABAMA  
COUNTY OF BALDWIN

**AIRPORT FRANCHISE AND LICENSE AGREEMENT**  
**Amendment 2**

This Amendment relates to the Airport Franchise and License Agreement dated July 19, 2021, as previously amended by Amendment 1 dated June 21, 2022, (collectively referred to as the "Agreement") as and between the CITY OF FOLEY, an Alabama Municipal Corporation (referred to as "Owner") and Lightning Aviation, LLC (referred to as "Provider"), all of which may be collectively referred to herein as "the Parties".

WHEREAS, the Parties desire to change and extend the ending date of the Initial Term and change the duration of the Renewal Term;

NOW, THEREFORE, in consideration of the mutual rights and obligations of the Parties under the Agreement, and other good and valuable consideration, the Parties hereby agree as follows:

That Section 2 of the Agreement is hereby amended to read as follows:

2. Term. The initial term of this Agreement ("Initial Term") begins on July 19, 2021 and ends on September 30, 2034, unless sooner terminated. Under mutual agreement between the Owner and the Provider, this Agreement may be renewed under the same provisions for one additional ten (10) year renewal term ("Renewal Term") by the Provider giving notice to the Owner no more than 90 and no less than 60 days prior to the expiration date of the Initial Term, subject to Owner's agreement.

That all other terms and conditions of the Agreement, except as expressly provided herein, remain in full force and effect.

**IN WITNESS WHEREOF**, the Parties, by and through their duly authorized representatives, have set their hands and seals this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**OWNER,  
THE CITY OF FOLEY, ALABAMA**

**PROVIDER,  
LIGHTNING AVIATION, LLC**

\_\_\_\_\_  
Ralph G. Hellmich  
Mayor

\_\_\_\_\_  
Corey Kirkwood  
Manager/Member

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **RALPH G. HELLMICH**, who holds the position of Mayor with the **CITY OF FOLEY**, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date with the authority and intent to bind the City of Foley.

GIVEN under my hand this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_  
(NOTARIAL SEAL)

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **Corey Kirkwood** whose name is signed to the foregoing instrument as the Manager and Member of **LIGHTNING AVIATION, LLC** and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date with the full authority and intent to bind said business.

GIVEN under my hand this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_  
(NOTARIAL SEAL)